

MCKOOL SMITH, P.C.
LOS ANGELES, CA

1 Makenna Miller (SBN 329244)
2 mmiller@mckoolsmith.com
3 **MCKOOL SMITH, P.C.**
4 300 South Grand Avenue, Suite 2900
5 Los Angeles, California 90071
6 Telephone: (213) 694-1200

7 Nicholas Matich (pro hac vice)
8 nmatich@mckoolsmith.com
9 **MCKOOL SMITH, P.C.**
10 1999 K Street, NW, Suite 600
11 Washington, DC 20006
12 Telephone: (202) 370-8300

13 *Attorneys for Plaintiff Anduril Industries, LLC*

14 *Additional counsel listed in signature blocks*

15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**
17 **SOUTHERN DIVISION**

18 ANDURIL INDUSTRIES, INC.,
19 a Delaware corporation,

20 Plaintiff,

21 vs.

22 SALIENT MOTION INC., a Delaware
23 corporation, KAI YIN, an individual,
24 AIDAN JENKINS, an individual, and
25 VISHAAL MALI, an individual,

26 Defendants.

27 SALIENT MOTION INC., a Delaware
28 corporation,

Counterclaim-Plaintiff,

vs.

ANDURIL INDUSTRIES, INC., a
Delaware corporation,

Counterclaim-Defendant.

Case No. 8:23-cv-01650 JVS
(KES)

**JOINT MOTION TO DISMISS
THIS ACTION WITH
PREJUDICE**

Judge: Hon. James V. Selna

Hearing Date: December 16, 2024
Hearing Time: 1:30PM
Courtroom: Courtroom: 10C

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Plaintiff, Anduril Industries, Inc. (“Anduril”) and remaining Defendant Kai Yin (“Yin”), by and through their undersigned counsel, hereby jointly move this Court, on December 16, 2024 at 1:30 p.m. or as soon thereafter as may be heard, for the dismissal of the action with prejudice, pursuant to Federal Rule of Civil Procedure 41.

This Motion is based on this Notice of Motion, the following Memorandum of Law, the proposed Order, the pleadings on file in this action, and such other and further materials or argument as may be presented to the Court at or before a hearing on this Motion.

DATED: November 15, 2024

Respectfully submitted,
MCKOOL SMITH, P.C.

By: /s/ Makenna Miller

Makenna Miller (SBN 329244)
mmiller@mckoolsmith.com
MCKOOL SMITH, P.C.
300 South Grand Ave., Suite 2900
Los Angeles, California 90071
Telephone: (213) 694-1200

Nicholas Matich (pro hac vice)
nmatich@mckoolsmith.com
MCKOOL SMITH, P.C.
1999 K Street, NW, Suite 600
Washington, DC 20006
Telephone: (202) 370-8300

Gary Cruciani (pro hac vice)
gcruciani@mckoolsmith.com
MCKOOL SMITH, P.C.
300 Crescent Court, Suite 1500
Dallas, Texas 75201
Telephone: (214) 978-4000

*Attorneys for Plaintiff Anduril
Industries, LLC*

MCKOOL SMITH, P.C.
LOS ANGELES, CA

DATED: November 15, 2024

Respectfully submitted,

By: /s/ Albert Tong

Albert Tong
MAYNARD NEXSEN LLP
Two Embarcadero Center
San Francisco, CA 94111
Email: atong@maynardnexsen.com
Telephone: 415.704.7433

Attorneys for Defendant Kai Yin

McKool Smith, P.C.
Los Angeles, CA

Memorandum of Points and Authorities

Pursuant to Federal Rule of Civil Procedure 41(a)(2), Plaintiff Anduril Industries, LLC (“Anduril”) and remaining Defendant, Kai Yin (“Yin”) by and through their undersigned counsel, hereby jointly move to dismiss this action, with prejudice.

Anduril and Yin agree that each party shall bear their own respective attorneys’ fees and costs of suit. Anduril and Yin respectfully request that the Clerk of the Court administratively close this action.

DATED: November 15, 2024

Respectfully submitted,
MCKOOL SMITH, P.C.

By: /s/ Makenna Miller

Makenna Miller (SBN 329244)
mmiller@mckoolsmith.com
MCKOOL SMITH, P.C.
300 South Grand Ave., Suite 2900
Los Angeles, California 90071
Telephone: (213) 694-1200

Nicholas Matich (pro hac vice)
nmatich@mckoolsmith.com
MCKOOL SMITH, P.C.
1999 K Street, NW, Suite 600
Washington, DC 20006
Telephone: (202) 370-8300

Gary Cruciani (pro hac vice)
gcruciani@mckoolsmith.com
MCKOOL SMITH, P.C.
300 Crescent Court, Suite 1500
Dallas, Texas 75201
Telephone: (214) 978-4000

*Attorneys for Plaintiff Anduril
Industries, LLC*

MCKOOL SMITH, P.C.
LOS ANGELES, CA

1
2 DATED: November 15, 2024

By: /s/ Albert Tong

3
4 Albert Tong
5 MAYNARD NEXSEN LLP
6 Two Embarcadero Center
7 San Francisco, CA 94111
8 Email: atong@maynardnexsen.com
9 Telephone: 415.704.7433

10 *Attorneys for Defendant Kai Yin*

11 **LOCAL RULE 5-4.3.4(a)(2)(i) AUTHORIZATION**

12 I, Makenna Miller, attest that all other signatories listed, and on whose behalf
13 the filing is submitted, concur in the filing's content and have authorized the filing.

14 DATED: November 15, 2024

/s/ Makenna Miller

15 Makenna Miller
16
17
18
19
20
21
22
23
24
25
26
27
28

McKool Smith, P.C.
Los Angeles, CA